

City of Ann Arbor

301 E. Huron St.

Ann Arbor, MI 48104

<http://a2gov.legistar.com/Calendar.aspx>



Meeting Minutes - Final

Monday, May 1, 2023

7:00 PM

This meeting will be broadcast live on CTN Cable Channel 16,
ATT Channel 99, and online at a2gov.org/watchCTN

Larcom City Hall, 301 E Huron St, Second floor, City Council
To sign up for public comment, call the City Clerk's Office
Chambers
between 8am - 5pm at 734-794-6140 on the day of the meeting.

City Council

Public commentary can be made in person or by calling Zoom at:
877-853-5247 or 888-788-0099

Enter Meeting ID 942 1273 2148

CALL TO ORDER

Mayor Christopher Taylor called the meeting of the Ann Arbor City Council to order at 7:01 p.m. in the Guy C. Larcom, Jr. Building, 2nd Floor Council Chambers, 301 E. Huron Street.

MOMENT OF SILENCE

Council stood for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Taylor led Council in the recitation of the Pledge of Allegiance.

ROLL CALL OF COUNCIL

Present: 10 - Mayor Christopher Taylor, Councilmember Erica Briggs, Councilmember Lisa Disch, Councilmember Linh Song, Councilmember Jen Eyer, Councilmember Travis Radina, Councilmember Cynthia Harrison, Councilmember Chris Watson, Councilmember Dharma Akmon and Councilmember Jennifer Cornell

Absent: 1 - Councilmember Ayesha Ghazi Edwin

APPROVAL OF AGENDA

A motion was made by Councilmember Radina, seconded by Councilmember Watson, that the Agenda be approved as presented. On a voice vote, the Mayor declared the motion carried.

AC COMMUNICATIONS FROM THE CITY ADMINISTRATOR

City Administrator Milton Dohoney Jr. presented the following written reports for information of Council:

AC-1 [23-0757](#) Agenda Response Memo and eComments - May 1, 2023

Received and Filed

- AC-2** [23-0762](#) Memorandum in Response to Resolution R-22-373 to Direct the Exploration of Alternative Uses for GSA Site (200 E. Liberty Street)

Received and Filed

- AC-3** [23-0764](#) Unarmed Response Report - Response to Resolution R-21-129 Directing the City Administrator to Develop an Unarmed Response Program

Received and Filed

- AC-4** [23-0769](#) City Administrator's Report - May 1, 2023

Received and Filed**INT INTRODUCTIONS**

- INT-1** [23-0636](#) Independent Community Police Oversight Commission (ICPOC) Monthly Update

Stefani Carter, chair of the Independent Community Police Oversight Commission, was not present to provide her monthly update.

Received and Filed**PUBLIC COMMENTARY (3 MINUTES PER SPEAKER, 45 MINUTES TOTAL)**

*** (SPEAKERS ARE NOT PERMITTED TO GRANT THEIR RESERVED TIME TO AN ALTERNATE SPEAKER)**

*** ACCOMMODATIONS CAN BE MADE FOR PERSONS NEEDING ASSISTANCE WHILE ADDRESSING COUNCIL**

**TO PARTICIPATE ONLINE, CALL ZOOM AT: 877 853 5247 or 888 788 0099
ENTER MEETING ID 942 1273 2148**

PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

- 1. Ken Garber - Resolution to Dissolve the Brownfields Plan Review Committee (DB-1) (in person)**

Ken Garber, resident, spoke in opposition to DB-1, and urged Council to keep an oversight mechanism in place for Brownfield Plan review.

2. Edward Vielmetti - Resolution to Dissolve the Brownfields Plan Review Committee (DB-1) (in person)

Edward Vielmetti, resident, spoke about DB-1 and expressed concern about the elimination of the Brownfield Plan Review Committee.

3. Ralph McKee - Resolution to Dissolve the Brownfields Plan Review Committee (DB-1); Brooks St. Improvements Project (CA-3) (phone)

Ralph McKee, resident, spoke in opposition to DB-1. He also expressed concern with the process related to contract approvals, including item CA-3.

4. Henry Herskovitz - Response to Councilmember Comments Made at the April 17, 2023 Council Meeting (AC-1) (in person)

Henry Herskovitz, resident, spoke about Council Communications at the last meeting in response to his remarks regarding the Holocaust.

5. Jean Henry - Jude Walton (in person)

Jean Henry, resident, spoke about Jude Walton's death and gender-based violence in the City. She urged Council to create a task force to address this issue.

6. Lauren Sargent - Climate Action (in person)

Lauren Sargent, resident, spoke about climate change.

7. Petals Sandcastle - Community Council and Collaborative Efforts (phone)

Petals Sandcastle was not present.

8. Blaine Coleman - We Are Against Military Aid to Israel (in person)

Blaine Coleman, resident, spoke against military aid to Israel.

9. Mozhgan Savabieasfahani - We Are Against Military Aid to Israel (in person)

Mozhgan Savabieasfahani, resident, spoke against military aid to Israel.

10. **Jeff Hayner - Resolution to Dissolve the Brownfields Plan Review Committee (DB-1) (in person)**

Jeff Hayner, resident, spoke in opposition to DB-1, the resolution to dissolve the Brownfields Plan Review Committee.

11. **Scott Fitzpatrick - Unarmed Response Report (AC-3) (in person)**

Scott Fitzpatrick, resident, spoke in support of an Unarmed Response program and urged Council to proceed with funding this initiative.

12. **Tom Stulberg - Resolution to Dissolve the Brownfields Plan Review Committee (DB-1) (phone)**

Tom Stulberg, resident, spoke in opposition to DB-1, the resolution to dissolve the Brownfields Plan Review Committee.

13. **Alan Haber - May Day (phone)**

Alan Haber, resident, was not available to speak during Public Commentary.

CC COMMUNICATIONS FROM COUNCIL

COUNCILMEMBER DISCH

Councilmember Disch stated she went on a tour of the Materials Recovery Facility with other local and State officials. She stated Recycle Ann Arbor is also planning several workshops to gauge community feedback.

COUNCILMEMBER AKMON

Councilmember Akmon reported on some upcoming listening sessions regarding utilities and clean safe energy.

COUNCILMEMBER CORNELL

Councilmember Cornell updated the public on her and Councilmember Briggs' upcoming coffee hours with the community.

COUNCILMEMBER EYER

Councilmember Eyer provided additional context regarding the proposed elimination of the Brownfields Plan Review Committee, stating there will be more transparency with the brownfield plan conversations taking place at Council meetings.

COUNCILMEMBER HARRISON

Councilmember Harrison stated she is hosting an equity conversation with Councilmembers Song, Ghazi Edwin and Watson. The event is planned for Wheeler Park on May 21.

COUNCILMEMBER SONG

Councilmember Song reminded Council and the public that May is Asian American and Pacific Islander Heritage month.

- CC-1** [23-0727](#) Resolution to Reappoint Maisie A Weyhing, Brooks Curtis, Sara M Nedrich, Rita L. Mitchell, and Bridget L Gruber to the Environmental Commission (**7 Votes Required**)

Referred to the City Council due back on 5/15/2023

- CC-2** [23-0728](#) Resolution to Reappoint Elizabeth Riggs and Jason Boggs to the Greenbelt Advisory Commission

Referred to the City Council due back on 5/15/2023

- CC-3** [23-0753](#) Resolution to Appoint Kimmeka Pipkins and Stefani Carter to the Independent Community Police Oversight Commission (**7 Votes Required**)

Referred to the City Council due back on 5/15/2023

MC COMMUNICATIONS FROM THE MAYOR

Mayor Taylor updated Council on his recent travel to Denver, Colorado for a sustainability conference.

- MC-1** [23-0662](#) Nominations and Reappointments for May 1, 2023

Mayor Taylor presented the following appointments for approval at a later date:

Airport Advisory Committee

Greg Farris

Term ending: May 31, 2026

Ann Arbor Public Art Commission

Allison Buck

Term ending: May 31, 2026

Building Board of Appeals

Hugh Flack, Jr.

Term ending: May 31, 2025

David Arnsdorf

Term ending: May 31, 2025

Cable Communications Commission

Anthony Ramirez

Term ending: May 31, 2028

City Planning Commission

Donnell Wyche

Term ending: June 30, 2026

Shannan Gibb-Randall

Term ending: June 30, 2026

Sadira M Clarke

Term ending: June 30, 2026

Commission on Disability Issues

Matthew Solomon

Term ending: May 31, 2026

Design Review Board

Richard Mitchell

Term ending: May 31, 2026

Tamara Burns

Term ending: May 31, 2026

Downtown Development Authority

Alexandra E. Dieck

Term ending: May 31, 2027

Elizabeth Dean Fund Committee

Lynn M Nybell

Term ending: May 31, 2025

Brooks Curtis

Term ending: May 31, 2025

Energy Commission

Alex M Zittleman

Term ending: May 31, 2026

Housing and Human Services Advisory Board

Anna Erickson

Term ending: May 31, 2026

James M Downing

Term ending: May 31, 2026

Amanda Carlisle

Term ending: May 31, 2026

Housing Board of Appeals

Todd Ciesielski

Term ending: May 31, 2026

Human Rights Commission

Judah B Garber

Term ending: May 31, 2026

Huron River Watershed Council

Richard Norton

Term ending: May 31, 2025

Local Development Finance Authority

Stephen Rapundalo

Term ending: June 30, 2027

Park Advisory Commission

Anne Marsan

Term ending: May 31, 2026

Public Market Advisory Commission

Lisa C Young

Term ending: May 31, 2026

Recreation Advisory Commission

Kurt Svoboda

Term ending: May 31, 2026

Renters Commission

Robert P Kelly

Term ending: May 31, 2025

Zackariah A Farah

Term ending: May 31, 2025

Transportation Commission

Molly Kleinman

Term ending: May 31, 2026

Zoning Board of Appeals

David DeVarti

Term ending: May 31, 2026

Referred to the City Council due back on 5/15/2023

MC-2 [23-0661](#) Resolution to Reappoint Non-resident Electors to Ann Arbor Boards and Commissions (**7 Votes Required**)

Mayor Taylor presented the following appointments for approval at a later date:

Airport Advisory Committee

Mark Perry

Term ending: May 31, 2026

Ann Arbor Public Art Commission

Mary Thiefels

Term ending: May 31, 2026

Jamall Bufford

Term ending: May 31, 2026

*Building Board of Appeals
Robert Hart
Term ending: May 31, 2025*

*Downtown Development Authority
Micah D Bartelme
Term ending: May 31, 2027*

*Energy Commission
Cherish Smith
Term ending: May 31, 2026*

*Jonathan T Overpeck
Term ending: May 31, 2026*

*Housing Commission
Steven Daniels
Term ending: May 31, 2028*

*Human Rights Commission
Pamela J Meadows
Term ending: May 31, 2026*

*Huron River Watershed Council
Molly Maciejewski
Term ending: May 31, 2025*

*Public Market Advisory Commission
Eric Farrell
Term ending: May 31, 2026*

*Renters Commission
Arthur J Redmond
Term ending: May 31, 2025*

Referred to the City Council due back on 5/15/2023

MC-3 [23-0748](#) Appointments and Nominations for May 1, 2023

Mayor Taylor presented the following appointments for approval at a later date:

Parks Advisory Commission

Therese Perlowski

Term Ending: May 31, 2026

Elizabeth Dean Fund Committee

Molly Brookshire

Term Ending: May 31, 2025

Housing and Human Services Advisory Board

Peter Slutzker- Partial Term

Term Ending: May 31, 2024

Rosanita Ratcliff

Term Ending: May 31, 2026

Ellen Rabinowitz

Term Ending: May 31, 2026

Referred to the City Council due back on 5/15/2023

CA CONSENT AGENDA

CONSENT AGENDA ITEMS REMOVED

With unanimous consent of Council, the following Consent Agenda items were removed from the Consent Agenda and placed at the end of same:

CA-5 Resolution to Approve a Construction Contract with Fonson Company, Inc. for the West Madison - Madison Place Water Main and Resurfacing Project (\$2,122,850) and to Appropriate \$1,133,000 in Internal Contributing Funds (8 Votes Required)

CA-3 Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the Brooks Street Improvements Project (\$3,445,709.21) and to Appropriate \$2,834,500.00 in Contributing Funds (8 Votes Required)

Passed on consent agenda

A motion was made by Councilmember Briggs, seconded by Councilmember Cornell, that the following Consent Agenda Items be approved as presented. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus

satisfying the eight-vote requirements of CA-1 and CA-6.

CA-1 [22-2147](#) **Enactment No:** **R-23-134** **Approved**

Resolution to Approve a Contract with the Michigan Department of Transportation for the State and Hill Streets Improvements Project (\$6,909,800.00) and to Appropriate \$250,000.00 from the Street, Bridge, and Sidewalk Millage; \$3,208,700.00 from the Major Street Fund; \$302,700.00 from the Water Supply Fund; \$252,850.00 from the Stormwater Fund; \$67,750.00 from the Sanitary Fund **(8 Votes Required)**

CA-2 [23-0559](#) **Enactment No:** **R-23-135** **Approved**

Resolution to Approve a Construction Contract with Ajax Paving Industries, Inc. for the Research Park Drive Resurfacing Project. (RFP No. 23-10, \$3,372,459.43)

CA-4 [23-0653](#) **Enactment No:** **R-23-136** **Approved**

Resolution to Increase Purchasing Authority on the Construction Contract with E.T. MacKenzie Company for the Stadium/Washtenaw Area Utility Improvements Project (\$5,343.54 Increase; \$2,018,243.54 Total)

CA-6 [23-0639](#) **Enactment No:** **R-23-137** **Approved**

Resolution to Approve Construction Contract Change Order No. 2 with CB Asphalt Paving for Street Cut and Miscellaneous Pavement Repair - ITB No. 4624 and to Amend the FY23 Budget and Appropriate \$750,000.00 from the Water Supply System Fund Balance (\$1,300,00.00 increase, total contract \$2,300,000.00) **(8 Votes Required)**

CA-7 [23-0555](#) **Enactment No:** **R-23-138** **Approved**

Resolution to Approve Sewer Televising and Cleaning General Services Agreements with Rogue Industrial Services, LLC (Not-to-Exceed \$1,400,000.00) and Taplin Group, LLC (Not-to-Exceed \$1,400,000.00) for Two-Years (RFP #23-14)

CA-8 [23-0584](#) **Enactment No:** **R-23-139** **Approved**

Resolution to Approve a Construction Contract with A.F. Smith Electric Inc. for the Wheeler Center Lighting Improvements Project (\$484,736.22)

CA-9 [23-0223](#) **Enactment No:** **R-23-140** **Approved**

Resolution to Approve Amendment Number 2 to Ekos - Software License Agreement with GE Software, Inc dba EKOS for Upgrading the City's Fuel System Hardware and Annual Software Maintenance and Support for FY 2023 - FY 2027 (not to exceed \$27,000)

CA-10 [23-0592](#) **Enactment No: R-23-141** **Approved**

Resolution to Assess Certain Delinquent Municipal Utility Charges as a Tax and Ordering Collection Thereof

CA-11 [23-0596](#) **Enactment No: R-23-142** **Approved**

Resolution Levying Certain Delinquent Municipal Solid Waste, Board Up, Clean Up, Vacant Property Inspection Fees, Housing Inspection Fees, False Alarm Fees, and Fire Inspection Fees as Special Assessments and Ordering Collection Thereof

CA-5 [23-0608](#) **Enactment No: R-23-143**

A motion was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Resolution be approved.

Resolution to Approve a Construction Contract with Fonson Company, Inc. for the West Madison - Madison Place Water Main and Resurfacing Project (\$2,122,850) and to Appropriate \$1,133,000 in Internal Contributing Funds **(8 Votes Required)**

[23-0608](#) **Enactment No: R-23-143** **Amended**

Amended

Resolution to Approve a Construction Contract with Fonson Company, Inc. for the West Madison - Madison Place Water Main and Resurfacing Project (\$2,122,850) and to Appropriate \$1,133,000 in Internal Contributing Funds **(8 Votes Required)**

A motion was made by Councilmember Eyer, seconded by Councilmember Akmon, that the Resolution be amended as follows:

Add New Resolved Clause:

RESOLVED, THE CONTRACT SHALL BE AMENDED TO INCLUDE PROVISIONS THAT REQUIRE THE CONTRACTOR TO PROVIDE THE NAMES OF ALL CRAFT LABORERS WHO WILL WORK ON THE PROJECT AND SUFFICIENT EVIDENCE THAT EACH OF THEM HAVE COMPLETED THE PRESCRIBED OSHA SAFETY TRAINING

REQUIREMENTS PRIOR TO WORK COMMENCING ON THE PROJECT; AND THAT FAILURE TO PROVIDE SUCH EVIDENCE SHALL CONSTITUTE A BREACH OF CONTRACT;

ALL CAPS indicates new language.

The amendment was considered friendly by the Body.

23-0608 Enactment No: R-23-143 Approved as Amended

The question being, the motion that was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Resolution be approved as amended. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.

Resolution to Approve a Construction Contract with Fonson Company, Inc. for the West Madison - Madison Place Water Main and Resurfacing Project (\$2,122,850) and to Appropriate \$1,133,000 in Internal Contributing Funds **(8 Votes Required)**

CA-3 23-0635 Enactment No: R-23-144 Approved

A motion was made by Councilmember Cornell, seconded by Councilmember Akmon, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.

Resolution to Approve a Construction Contract with Bailey Excavating, Inc. for the Brooks Street Improvements Project (\$3,445,709.21) and to Appropriate \$2,834,500.00 in Contributing Funds **(8 Votes Required)**

PH PUBLIC HEARINGS (3 MINUTES PER SPEAKER)

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

PH-1 23-0532 An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-12)

A public hearing was conducted on the proposed Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-12).

Notice of public hearing was published April 20, 2023.

The following person was present to speak:

Jeff Hayner, resident, spoke in opposition.

Seeing no further persons present for comment, the Mayor declared the hearing closed.

Held and Closed

PH-2 [23-0534](#) An Ordinance to Amend Section 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-13)

A public hearing was conducted on the proposed Ordinance to Amend Section 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-13).

Notice of public hearing was published April 20, 2023.

Seeing no one present for comment, Mayor Taylor declared the hearing closed.

Held and Closed

PH-3 [23-0599](#) **Enactment No: R-23-158** **Held and Closed**

Held and Closed

Resolution to Approve Fiscal Year 2024 Fee Adjustments for the Public Services Area - Engineering, Public Works, Systems Planning, Water Treatment Units and the Fleet and Facilities - Airport Unit of the City Administrator's Office

A public hearing was conducted on the proposed Resolution to Approve Fiscal Year 2024 Fee Adjustments for the Public Services Area - Engineering, Public Works, Systems Planning, Water Treatment Units and the Fleet and Facilities - Airport Unit of the City Administrator's Office.

Notice of public hearing was published April 20, 2023.

Jeff Hayner, Ward 1, spoke in opposition to the proposed fee rate increases.

Seeing no further persons present to speak, Mayor Taylor declared the hearing closed.

PH-4 [23-0600](#) **Enactment No: R-23-159** **Held and Closed**

Held and Closed

Resolution to Approve FY 2024 Fee Adjustments for the Community Services Area

A public hearing was conducted on the proposed Resolution to Approve FY 2024 Fee Adjustments for the Community Services Area.

Notice of public hearing was published April 27, 2023.

Seeing no one present to speak at the hearing, Mayor Taylor declared the hearing closed.

PH-5 [23-0706](#) **Enactment No: R-23-160** **Held and Closed**

Held and Closed

Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2024

A public hearing was conducted on the proposed Resolution to Adopt Ann Arbor City Budget and Related Property Tax Millage Rates for Fiscal Year 2024.

Notice of public hearing was published April 20, 2023.

The following persons were present to speak at the hearing:

Kathleen Murphy, Linda Vista Drive, spoke in support of funding for the study of municipal power.

Lauren Sargent, Ember Way, spoke in support of municipal power funding.

Jeff Hayner, Ward 1, spoke in opposition to the budget and asked about the inclusion of an ombudsman.

An unknown supporter of A2 municipal power

Ken Garber, Ward 2, spoke in support of budget funding for municipal power.

Kitty Kahn, Ward 5, spoke in opposition to funding being allocated to the conversion of Fuller Park to Bicentennial Park.

Michelle Hughes, resident, spoke in opposition to an increased police department budget.

Greg Woodring, representing A2 Public Power

Kathy Boris, Ward 5, expressed concern about the proposed airport expansion.

*An unknown caller urged Council not to increase the police budget.
Ralph McKee, Ward 5, expressed concern about all of the new hires and new positions in the budget.
Alan Haber, resident, stated he was disappointed to see that there was not funding allocated for Center of the City.
Adam Jaskiewicz, Ward 4, spoke in support of changes to the Police Department patrols.
A resident on Montgomery spoke about A2 Public Power.*

Seeing no one further present to speak, Mayor Taylor declared the hearing closed.

A APPROVAL OF COUNCIL MINUTES

A-1 [23-0736](#) Regular Session Meeting Minutes of April 17, 2023

A motion was made by Councilmember Watson, seconded by Councilmember Disch, that the Regular Session Meeting Minutes of April 17, 2023 be approved. On a voice vote, the Mayor declared the motion carried.

B ORDINANCES - SECOND READING

B-1 [23-0532](#) An Ordinance to Amend Section 2:63 of Chapter 29 (Water Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-12)

A motion was made by Councilmember Disch, seconded by Councilmember Watson, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

B-2 [23-0534](#) An Ordinance to Amend Section 2:69 of Chapter 29 (Stormwater Rates) of Title II of the Code of the City of Ann Arbor (ORD-23-13)

A motion was made by Councilmember Eyer, seconded by Councilmember Briggs, that the Ordinance be adopted on Second Reading. On a voice vote, the Mayor declared the motion carried.

C ORDINANCES - FIRST READING

C New Business - Staff:

- C-1** [23-0700](#) An Ordinance Authorizing the Issuance and Sale of Water Supply System Revenue Bonds, Series 2023, (\$40,000,000.00) **(Roll Call Vote Required - One Reading Only)**

A motion was made by Councilmember Disch, seconded by Councilmember Radina, that the Ordinance be adopted on First Reading. On a roll call, the vote was as follows with the Mayor declaring the motion carried:

Yeas: 10 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Watson, Councilmember Akmon and Councilmember Cornell

Nays: 0

Absent: 1 - Councilmember Ghazi Edwin

Enactment No: ORD-23-14

D MOTIONS AND RESOLUTIONS

DC New Business - Council:

- DC-1** [23-0705](#) Enactment No: **R-23-145** **Approved**

A motion was made by Councilmember Eyer, seconded by Councilmember Watson, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Resolution Updating the City of Ann Arbor City Council Policy Agenda Committee

- DC-2** [23-0754](#) Enactment No: **R-23-146** **Approved**

A motion was made by Councilmember Radina, seconded by Councilmember Disch, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried unanimously with ten members present, thus satisfying the eight-vote requirement.

Resolution to Enter a Lease with Lee Maulbetsch to Farm the Maisel Property **(8 Votes Required)**

DB New Business - Boards and Commissions:

DB-1 [23-0605](#) Enactment No: R-23-147 Approved

A motion was made by Councilmember Eyer, seconded by Councilmember Cornell, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Resolution to Dissolve the Brownfields Plan Review Committee

DS **New Business - Staff:**

CLOSED SESSION UNDER THE MICHIGAN OPEN MEETINGS ACT, INCLUDING BUT NOT LIMITED TO, LABOR NEGOTIATIONS STRATEGY, PURCHASE OR LEASE OF REAL PROPERTY, PENDING LITIGATION AND ATTORNEY/CLIENT PRIVILEGED COMMUNICATIONS SET FORTH OR INCORPORATED IN MCLA 15.268 (C), (D) (E), AND (H).

A motion was made by Councilmember Akmon, seconded by Councilmember Cornell, that the Council enter into Closed Session under the Michigan Open Meetings Act to discuss pending litigation and attorney/client privileged communication as set forth in MCL 15.268 (E) and (H). On a roll call, the vote was as follows with the Mayor declaring the motion carried and the meeting adjourned in Closed Session at 9:23 p.m.:

Yeas: 10 - Mayor Taylor, Councilmember Briggs, Councilmember Disch, Councilmember Song, Councilmember Eyer, Councilmember Radina, Councilmember Harrison, Councilmember Watson, Councilmember Akmon and Councilmember Cornell

Nays: 0

Absent: 1 - Councilmember Ghazi Edwin

RECONVENE IN OPEN SESSION

A motion was made by Councilmember Eyer, seconded by Councilmember Cornell, that the meeting reconvene. On a voice vote, the Mayor declared the motion carried and the meeting reconvened in Open Session at 10:17 p.m.

OPEN THE AGENDA

[23-0772](#) Enactment No: R-23-148 Approved

A motion was made by Councilmember Disch, seconded by Councilmember Watson, that the Resolution be approved. On a voice vote, the Mayor declared the motion carried.

Resolution to Direct the City Attorney to Provide a Public Legal Opinion Regarding the Recent Ninth Circuit Decision in *California Restaurant Ass'n v. City of Berkeley*, dated April 17, 2023

E & F CLERK'S REPORT OF COMMUNICATIONS, PETITIONS AND REFERRALS

E The following communications were referred as indicated:

Passed on consent agenda

A motion was made by Councilmember Disch, seconded by Councilmember Watson, that the Clerk's Report of Communications, Petitions and Referrals be approved as presented. On a voice vote, the Mayor declared the motion carried.

- E-1** [23-0734](#) Ann Arbor Summer Festival - Notification of Nominations of Trustees on Behalf of the City

- E-2** [23-0620](#) Energy Commission Resolution in Support of Accelerated Action on an Ordinance to Ban Natural Gas Connections in New Construction and Major Renovations and in Support of Devising and Implementing Interim Measures to Incentivize All-Electric Construction

- E-3** [23-0714](#) Communication from the State of Michigan Public Service Commission Regarding Notice of a Hearing for Electric Customers of DTE Electric Company in Case No. U-21338 Scheduled for April 27, 2023 - Sustainability - City Attorney

- E-4** [23-0737](#) Risk Fund Claim Report March 2023

- E-5** [23-0752](#) Sharif-Ahmed Krabti - Resignation from the Housing and Human Services Advisory Board

F The following minutes were received for filing:

- F-1 [23-0358](#) February 2, 2023 GAC Meeting Minutes
- F-2 [23-0460](#) Transportation Commission February, 2023 Meeting Minutes
- F-3 [23-0569](#) January 4, 2023 City Planning Commission Meeting Minutes
- F-4 [23-0601](#) March 2, 2023 GAC Meeting Minutes
- F-5 [23-0568](#) March 21, 2023 City Planning Commission Meeting Minutes
- F-6 [23-0609](#) Downtown Development Authority Board, Executive, Affordable
Housing/Economic Development, and Operations Committees Meeting
Minutes for March 2023
- F-7 [23-0637](#) Downtown Area Citizens Advisory Council Meeting Minutes for April 4,
2023
- F-8 [23-0668](#) Council Administration Committee Minutes - March 14, 2023
- F-9 [23-0738](#) March 16, 2023 Council Policy Agenda Committee Final Meeting Minutes
- F-10 [23-0739](#) The City of Ann Arbor Employees' Retirement System Board Meeting
Minutes of March 16, 2022
- F-11 [23-0740](#) The City of Ann Arbor Retire Health Care Benefit Plan & Trust Board
Meeting Minutes of March 16, 2023

G COMMUNICATIONS FROM THE CITY ATTORNEY

None.

PUBLIC COMMENT - CONTINUED (3 MINUTES EACH - IF NECESSARY)

***THIS SECTION IS FOR SPEAKERS WHO SIGNED UP FOR PUBLIC COMMENTARY BUT WERE UNABLE TO SPEAK AT THE BEGINNING OF THE MEETING DUE TO THE 45-MINUTE TIME LIMIT.**

FOR ZOOM MEETINGS, PHONE CALLERS CAN PRESS *9 TO RAISE HANDS AND *6 TO UNMUTE THEIR PHONES WHEN CALLED UPON TO SPEAK.

(Not necessary.)

ADJOURNMENT

A motion was made by Councilmember Cornell, seconded by Councilmember Akmon, that the meeting adjourn. On a voice vote, the Mayor declared the motion carried and the meeting adjourned at 10:19 p.m.

COMMUNITY TELEVISION NETWORK (CTN) COMCAST CHANNEL 16, AT&T CHANNEL 99:

LIVE: MONDAY, MAY 1, 2023 @ 7:00 P.M.

REPLAY: FRIDAY, MAY 5, 2023 @ 8:00 P.M.

REPLAYS SUBJECT TO CHANGE WITHOUT NOTICE

Community Television Network live televised public meetings are also available to watch online live and on-demand from CTN's website, www.a2gov.org/watchctn <<http://www.a2gov.org/watchctn>>, on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).

Cable: Comcast Cable channel 16 or AT&T UVerse Channel 99

Videos are also available for a nominal fee by contacting CTN at (734) 794-6150.

All persons are encouraged to participate in public meetings. Citizens requiring translation or sign language services or other reasonable accommodations may contact the City Clerk's office at 734.794.6140; via e-mail to: cityclerk@a2gov.org; or by written request addressed and mailed or delivered to:

City Clerk's Office
301 E. Huron St.
Ann Arbor, MI 48104

Requests made with less than two business days' notice may not be able to be accommodated.

A hard copy of this Council packet can be made available upon request during regular business hours.